

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

DAVID OSTER, *et al.*,

Plaintiffs,

v.

WILL LIGHTBOURNE, Director of the California  
Department of Social Services; TOBY DOUGLAS,  
Director of the California Department of Health Care  
Services; CALIFORNIA DEPARTMENT OF HEALTH  
CARE SERVICES; and CALIFORNIA DEPARTMENT  
OF SOCIAL SERVICES,

Defendants.

Case No. CV 09-04668 CW

**~~PROPOSED~~ ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
LEAVE TO FILE THIRD  
AMENDED COMPLAINT**

1 Plaintiffs' Motion for Leave to File Third Amended Complaint, Docket Number 323, is  
2 GRANTED. The Court finds that the amendment is proper under Rule 15(a). Fed. R. Civ. P.  
3 15(a). The proposed amendments are neither futile nor made in bad faith. The filing of the  
4 Third Amended Complaint will not result in delay or prejudice to Defendants. Accordingly, it is  
5 ordered that Plaintiffs may efile the Third Amended Complaint forthwith. Due to administrative  
6 error this order was not efiled as intended on December 1, 2011. The Third Amended Complaint  
7 is deemed filed as of that date. However, five calendar days are added to Defendants' time to  
8 respond.

9  
10  
11 IT IS SO ORDERED:

12  
13 DATED: 12/6/2011



The Honorable Claudia Wilken  
United States District Judge